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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/590,390	08/23/2006	Erwin Paul Josef Lehrieder	W1.2305PCT-US	6992

7590 05/27/2009  
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EXAMINER
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SNELTING, JONATHAN D

ART UNIT	PAPER NUMBER
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3652

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05/27/2009

PAPER

**Please find below and/or attached an Office communication concerning this application or proceeding.**

The time period for reply, if any, is set in the attached communication.

<b>Office Action Summary</b>	<b>Application No.</b> 10/590,390	<b>Applicant(s)</b> LEHRIEDER ET AL.	
	<b>Examiner</b> Jonathan Snelting	<b>Art Unit</b> 3652	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

### Status

- 1) ☒ Responsive to communication(s) filed on 23 August 2006.
- 2a) ☐ This action is **FINAL**.                      2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

### Disposition of Claims

- 4) ☒ Claim(s) 89-167 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☐ Claim(s) \_\_\_\_\_ is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☒ Claim(s) 89-167 are subject to restriction and/or election requirement.

### Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

### Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All    b) ☐ Some \*    c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

### Attachment(s)

- |  |   |
|--|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892)                     | 4) <input type="checkbox"/> Interview Summary (PTO-413)           |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____                                      |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08)          | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| Paper No(s)/Mail Date _____  | 6) <input type="checkbox"/> Other: _____                          |

## **DETAILED ACTION**

### ***Election/Restrictions***

18. This application contains claims directed to more than one species of the generic invention. These species are deemed to lack unity of invention because they are not so linked as to form a single general inventive concept under PCT Rule 13.1.

The species are as follows:

**a.** Device for transporting reels of material, the reels of material being disposed on a primary transport carriage which is disposed on a secondary transport carriage, the secondary transport carriage being displaceable between a storage area having a plurality of storage spaces and a reel changer of a web-processing machine, the secondary transport carriage, together with the primary transport carriage and the reel of material deposited thereon, traveling along a transport route extending from the storage area to the web-processing machine, characterized in that a plurality of storage spaces for reels of material are arranged on both sides of the transport route.

**b.** Device for transporting reels of material, the reels of material being disposed on a primary transport carriage which is disposed on a secondary transport carriage, the secondary transport carriage being displaceable between a storage area having a plurality of storage spaces and a reel changer of a web-processing machine, the secondary transport carriage, together with the primary transport carriage and the reel of material deposited thereon, traveling along a

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transport route extending from the storage area to the web-processing machine, characterized in that the primary transport carriages can optionally be disposed in any storage space of the store; and device for transporting reels of material from a storage area having a plurality of storage spaces, the reels of material in the storage spaces being arranged on a primary transport carriage, each primary transport carriage being allocated a fixed storage space.

**c.** Device for transporting reels of material, the reels of material being disposed on a primary transport carriage which is disposed on a secondary transport carriage, the secondary transport carriage being displaceable between a storage area having a plurality of storage spaces and a reel changer of a web-processing machine, the secondary transport carriage, together with the primary transport carriage and the reel of material deposited thereon, traveling along a transport route extending from the storage area to the web-processing machine, characterized in that at least a primary transport carriage can travel along a transport path to an unpacking station, in order to unpack the reels of material, or characterized in that two storage areas are each arranged with a secondary transport carriage.

**d.** Device for transporting reels of material, the reels of material being disposed on a primary transport carriage which is disposed on a secondary transport carriage, the secondary transport carriage being displaceable between a storage area having a plurality of storage spaces and a reel changer of a web-processing machine, the secondary transport carriage, together with the primary

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transport carriage and the reel of material deposited thereon, traveling along a transport route extending from the storage area to the web-processing machine, characterized in that the storage area is secured against unauthorized access by a protected area defining the borders of the storage area.

e. Device for transporting reels of material, the reels of material being disposed on a primary transport carriage which is disposed on a secondary transport carriage, the secondary transport carriage being displaceable between a storage area having a plurality of storage spaces and a reel changer of a web-processing machine, the secondary transport carriage, together with the primary transport carriage and the reel of material deposited thereon, traveling along a transport route extending from the storage area to the web-processing machine, characterized in that each storage space of the plurality of storage spaces has its own drive system for the transport of the reels of material.

Applicant is required, in reply to this action, to elect a single species to which the claims shall be restricted if no generic claim is finally held to be allowable. The reply must also identify the claims readable on the elected species, including any claims subsequently added. An argument that a claim is allowable or that all claims are generic is considered non-responsive unless accompanied by an election.

Upon the allowance of a generic claim, applicant will be entitled to consideration of claims to additional species which are written in dependent form or otherwise include all the limitations of an allowed generic claim as provided by 37 CFR 1.141. If claims

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are added after the election, applicant must indicate which are readable upon the elected species. Please see MPEP § 809.02(a).

19. The claims are deemed to correspond to the species listed above in the following manner:

- a. Claims 92, 93, 95, 97-101, 106, 107, 109-111, 118-135, and 141-158.
- b. Claims 90, 94, 96, 102, and 108.
- c. Claims 103-105 and 136-140.
- d. Claims 112-117.
- e. Claims 159-167.

The following claim(s) are generic: 89 and 91.

20. The species listed above do not relate to a single general inventive concept under PCT Rule 13.1 because, under PCT Rule 13.2, the species lack the same or corresponding special technical features for the following reasons: lack unity of invention because even though the inventions of these groups require the technical feature of "Device for transporting reels of material, the reels of material being disposed on a primary transport carriage which is disposed on a secondary transport carriage, the secondary transport carriage being displaceable between a storage area having a plurality of storage spaces and a reel changer of a web-processing machine, the secondary transport carriage, together with the primary transport carriage and the reel of material deposited thereon, traveling along a transport route extending from the storage area to the web-processing machine," this technical feature is not a special technical feature as it does not make a contribution over the prior art in view of the acknowledged prior art.

Applicant is advised that the reply to this requirement to be complete must include (i) an election of a species or invention to be examined even though the requirement may be traversed (37 CFR 1.143) and (ii) identification of the claims encompassing the elected invention.

The election of an invention or species may be made with or without traverse. To preserve a right to petition, the election must be made with traverse. If the reply does not distinctly and specifically point out supposed errors in the restriction requirement, the election shall be treated as an election without traverse.

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2. Applicant is reminded that upon the cancellation of claims to a non-elected invention, the inventorship must be amended in compliance with 37 CFR 1.48(b) if one or more of the currently named inventors is no longer an inventor of at least one claim remaining in the application. Any amendment of inventorship must be accompanied by a request under 37 CFR 1.48(b) and by the fee required under 37 CFR 1.17(i).

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Jonathan Snelting whose telephone number is 571-270-7015. The examiner can normally be reached on Monday to Friday 8:00 to 5:00.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Saul Rodriguez can be reached on 571-272-7097. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/Saúl J. Rodríguez/  
Supervisory Patent Examiner, Art  
Unit 3652

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/Jonathan Snelting/  
Examiner, Art Unit 3652